



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, EIGHTH UNITED STATES ARMY
UNIT #15236
APO AP 96205-0009

EACG

25 FEB 07

MEMORANDUM FOR All Eighth United States Army Assigned Soldiers and Civilians

SUBJECT: Eighth United States Army Command Policy #29 – Victim/Witness Assistance Program

1. REFERENCES.

- a. DOD Directive 1030.1, Victim and Witness Assistance, 13 APR 04.
- b. DOD Instruction 1030.2 Victim and Witness Assistance Procedures, 4 JUN 04.
- c. AR 27-10, Military Justice (Chapter 18), 16 NOV 05.

2. PURPOSE. It is the purpose of this policy to accomplish three objectives.

a. Mitigate, within the means of available resources and under applicable law, the physical, psychological, and financial hardships suffered by victims and witnesses of offenses investigated by DA authorities.

b. Foster the full cooperation of victims and witnesses, both civilian and military, within the military justice system.

c. To ensure that both civilian and military victims and witnesses are advised of and accorded the rights described by law.

3. BACKGROUND. Staff Judge Advocates on the Korean Peninsula are responsible for implementing and supervising victim/witness assistance programs within their general court-martial jurisdictions. SJAs will designate, in writing, one or more victim/witness liaisons to administer these programs. Victim/witness liaisons, along with victims' advocates, will serve as POCs through which victims and witnesses may get information and assistance in obtaining victim/witness services. Victim/witness liaisons will also provide information to victims and witnesses at the earliest possible time about significant events during the investigation, prosecution, and punishment of a crime.

4. DISCUSSION.

a. An effective victim/witness assistance program must be multidisciplinary. Everyone has a role in helping the victims and witnesses of crimes. Chaplains;

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SUBJECT: Eighth United States Army Command Policy #29– Victim/Witness Assistance Program

corrections and confinement facility personnel; family advocacy and family services personnel; SJAs and other legal-services personnel; and unit commanding officers and noncommissioned officers must be actively involved in the program.

b. SJAs or their designees will coordinate with military law enforcement, criminal investigation, and other military and civilian multidisciplinary agencies to ensure that victims and witnesses of crime are provided the name, location, and telephone number of a Victim Witness Liaison (VWL). At the earliest opportunity the VWL, trial counsel, or other Government representative will ensure that victims and witnesses are informed of the services available to them.

c. The VWL will act as a primary point of contact through which victims and witnesses may obtain information and assistance in securing available victim/witness services. The VWL will act in conjunction with the Unit Victim Advocate (UVA) who is responsible for providing crisis intervention, referral, and ongoing non-clinical support to a sexual assault victim.

d. Leaders and VWLs will ensure that victims and witnesses of crimes are familiar with the *DOD Victim and Witness Bill of Rights*, under which victims and witnesses have the following rights:

- (1) The right to be treated with fairness, dignity, and a respect for privacy.
- (2) The right to be reasonably protected from the accused offender.
- (3) The right to be notified of court proceedings.
- (4) The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial, or for other good cause.
- (5) The right to confer with the attorney for the Government in the case.
- (6) The right to restitution, if appropriate.
- (7) The right to information regarding the conviction, sentencing, imprisonment, and release of the offender from custody.

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SUBJECT: Eighth United States Army Command Policy #29– Victim/Witness Assistance Program

e. Victim/witness assistance programs provide valuable services to victims and witnesses of crimes. Leaders at all levels will ensure that their personnel are aware of these programs.

5. PROPONENT. The Eighth United States Army Staff Judge Advocate is the proponent for this policy. The POC can be contacted at commercial 011-822-7918-6856 or DSN 315-738-6856.

A handwritten signature in black ink, appearing to read 'D. Valcourt', with a long horizontal stroke extending to the right.

DAVID P. VALCOURT
Lieutenant General, USA
Commanding